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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,249	11/19/2003	Martin Evans	CAT/009	7746
26291	7590	05/24/2007	EXAMINER	
PATTERSON & SHERIDAN L.L.P. 595 SHREWSBURY AVE, STE 100 FIRST FLOOR SHREWSBURY, NJ 07702			BOYER, RANDY	
			ART UNIT	PAPER NUMBER
			1764	
			MAIL DATE	DELIVERY MODE
			05/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/717,249	EVANS, MARTIN
	Examiner Randy Boyer	Art Unit 1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 March 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-35 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Response to Amendment***

1. Examiner acknowledges response filed 23 March 2007 containing amendments to the claims and remarks.
2. Examiner acknowledges that amendments to the claims overcome all previous objections in the prior Office Action.
3. The rejection of claims 1-4, 9, 18, and 22 under 35 U.S.C. 102(b); and claims 5-8, 10-17, 19-21, and 23-35 under 35 U.S.C. 103(a) are maintained. The rejections follow.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office Action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 9, 18, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Andon (US 4082513).
6. With respect to claim 1, Andon discloses a mobile catalyst injection system comprising: a transportable platform (column 2, lines 11-12), a catalyst reservoir coupled to the platform (10) and adapted to be coupled to a fluid catalyst cracking unit

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(14), and a flow control device coupled to an outlet of the reservoir (15) and adapted to control the flow of catalyst through the outlet port.

7. With respect to claim 2, Andon discloses wherein the platform is a trailer (column 2, lines 11-12).

8. With respect to claim 3, Andon discloses wherein the platform is a container (column 2, lines 11-12).

9. With respect to claim 4, Andon discloses wherein the platform is a railroad car (column 2, lines 11-12).

10. With respect to claim 9, Andon discloses a pressure control system (column 2, lines 51-56) coupled to the platform (column 2, lines 11-12) and the catalyst reservoir (10) for controlling pressure within the catalyst reservoir.

11. With respect to claim 18, Andon discloses a mobile catalyst injection system comprising: a trailer (column 2, lines 11-12), a catalyst reservoir coupled to the trailer (10) and adapted to be coupled to a fluid catalyst cracking unit (14), a pressure control system coupled to the trailer and catalyst reservoir (column 2, lines 42-61), a generator coupled to the pressure control system, and a flow control device coupled to an outlet of the reservoir (15) and adapted to control the flow of catalyst through the outlet port.

Note that while Andon does not explicitly disclose "a generator coupled to the pressure control system," such limitation is inherently disclosed since the person having ordinary skill in the art would recognize that in order to provide the automatic pressure control for the system there must necessarily be "a generator" or other source of electricity to drive the valves.

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12. With respect to claim 22, Andon discloses a mobile catalyst injection system comprising: a container (column 2, lines 11-12), a catalyst reservoir coupled to the container (10) and adapted to be coupled to a fluid catalyst cracking unit (14), a pressure control system coupled to the container and catalyst reservoir (column 2, lines 42-61), a generator coupled to the pressure control system (inherent disclosure, see discussion supra at paragraph 15), and a flow control device coupled to an outlet of the reservoir (15) and adapted to control the flow of catalyst through the outlet port.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

15. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

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the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

16. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andon (US 4082513).

17. With respect to claim 5, Andon discloses a mobile catalyst injection system comprising: a transportable platform (column 2, lines 11-12), a catalyst reservoir coupled to the platform (10) and adapted to be coupled to a fluid catalyst cracking unit (14), and a flow control device coupled to an outlet of the reservoir (15) and adapted to control the flow of catalyst through the outlet port.

Andon does not disclose wherein the platform is a pallet.

However, a pallet is known in the art to be a substitute means for transporting material.

Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to use a pallet as a "transportable platform" in a mobile catalyst injection system.

18. With respect to claim 6, a barge is known in the art to be a substitute means for transporting material.

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19. Claims 7, 8, 10-12, 17, and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erickson (US 4769127).

20. With respect to claim 7, Erickson discloses a mobile catalyst injection system comprising: a transportable platform (56), a catalyst reservoir coupled to the platform (400), a flow control device coupled to an outlet of the reservoir (64) and adapted to control the flow of catalyst through the outlet port, and a generator coupled to the platform (column 5, lines 62-68, and column 6, lines 1-2).

Erickson does not disclose wherein the catalyst reservoir is adapted to be coupled to a fluid catalyst cracking unit.

However, Erickson discloses that the system can be included as part of a reaction process that refines a petroleum feedstock in the presence of a fresh catalyst (column 3, lines 31-34).

Therefore, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to include the system of Erickson as part of a process to feed fresh catalyst to a fluid catalyst cracking unit.

21. With respect to claim 8, Erickson discloses a controller coupled to the platform and flow control device for controlling the catalyst dispensed from the catalyst reservoir (column 20, lines 56-68, and column 21, lines 1-9).

22. With respect to claim 10, Erickson discloses wherein the catalyst reservoir is movable relative to the platform (column 6, lines 7-9).

23. With respect to claims 11 and 12, Erickson discloses a plurality of load cells disposed between the catalyst reservoir and platform, as well as a sensor adapted to

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detect a metric indicative of catalyst dispensed from the catalyst reservoir (column 5, lines 46-56).

24. With respect to claim 17, Erickson discloses a mobile catalyst injection system further comprising a second catalyst reservoir coupled to the platform and adapted to be coupled to the fluid catalyst cracking unit (66).

25. With respect to claim 26, Erickson discloses a method for process control in a resid hydrotreating unit comprising: processing oil in a treating system having one or more hard piped catalytic injection systems, transporting a mobile catalyst injection system to the treating system, coupling the mobile catalyst injection to the treating system, and injecting catalyst from the mobile catalyst injection into the treating system (Figure 3).

Erickson does not disclose use of such a method for process control in a fluid catalytic cracking system.

However, Erickson discloses that his process can be carried out with many types of equipment, including as part of a reactor system that refines a petroleum feedstock in the presence of a fresh catalyst (column 3, lines 31-34).

Therefore, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to integrate the process of Erickson into a fluid catalytic cracking system to provide an improved means of catalyst handling.

26. With respect to claim 27, Erickson discloses transporting a mobile catalyst injection by way of rail or truck (column 2, 36-39).

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27. With respect to claims 28-30, Erickson discloses the electronic sensing and monitoring of the type and amount of catalyst being dispensed into the treating system (column 2, lines 31-35).

28. Claims 13-16, 31, 32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Erickson (US 4769127) in view of Haugen (US 2616591).

29. With respect to claim 13, Erickson discloses a mobile catalyst injection system comprising: a transportable platform (56), a catalyst reservoir coupled to the platform (400), and a flow control device coupled to an outlet of the reservoir (64) and adapted to control the flow of catalyst through the outlet port.

Erickson does not disclose wherein the catalyst reservoir further comprises a plurality of compartments and a plenum disposed in the catalyst reservoir coupling the compartments.

However, Haugen discloses a dispensing device comprising a plurality of compartments (12, 13) and a plenum (17) disposed in the device and coupling the compartments. Haugen explains that the plurality of measuring devices (i.e. compartments) of his invention provides for a substantial time savings of delivering material by eliminating the need for separate measuring devices for separate ingredients.

Therefore, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to modify the system of Erickson to provide for use of a single catalyst reservoir having multiple compartments, so as to eliminate the need for two catalyst reservoirs to deliver two types of catalyst.

30. With respect to claims 14, Haugen provides a dispensing device having two compartments substantially equal in volume (see Haugen, Figures 1 and 5).

31. With respect to claims 15, 16, and 32 Haugen does not contemplate the use of compartments of different sizes. However, the court has held that where the only difference between the prior art and the claims at issue is a recitation of relative dimensions of the claimed device, and a device having the claimed relative dimensions would not perform differently than the prior art device, then the claimed device is not patentably distinct from the prior art device. See *Gardner v. TEC Systems, Inc.*, 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984), cert. denied, 469 U.S. 830, 225 USPQ 232 (1984).

32. With respect to claim 31, Haugen discloses storing material in a first compartment of a dispensing device and storing material in a second compartment of a dispensing device (see Haugen, Figures 1 and 5).

33. With respect to claim 34, Haugen discloses dispensing material simultaneously from two different compartments (see Haugen, column 1, lines 19-21).

34. With respect to claim 35, it has been held that the selection of any order of mixing ingredients is *prima facie* obvious. See *In re Gibson*, 39 F.2d 975, 5 USPQ 230 (CCPA 1930).

35. Claims 19-21, 23-25, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andon (US 4082513) in view of Haugen (US 2616591).

36. With respect to claim 19, Andon discloses a mobile catalyst injection system comprising: a trailer (column 2, lines 11-12), a catalyst reservoir coupled to the trailer

(10) and adapted to be coupled to a fluid catalyst cracking unit (14), a pressure control system coupled to the trailer and catalyst reservoir (column 2, lines 42-61), a generator coupled to the pressure control system (inherent disclosure, see discussion *supra* at paragraph 15), and a flow control device coupled to an outlet of the reservoir (15) and adapted to control the flow of catalyst through the outlet port.

Andon does not disclose a plurality of compartments and a plenum disposed in the catalyst reservoir and coupling the compartments.

However, Haugen discloses a dispensing device comprising a plurality of compartments (12, 13) and a plenum (17) disposed in the device and coupling the compartments. Haugen explains that the plurality of measuring devices (i.e. compartments) of his invention provides for a substantial time savings of delivering material by eliminating the need for separate measuring devices for separate ingredients.

Therefore, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to modify the system of Andon to provide for use of a single catalyst reservoir having multiple compartments, so as to eliminate the need for two catalyst reservoirs to deliver two types of catalyst.

37. With respect to claims 20 and 24, Haugen does not contemplate the use of compartments of different sizes. However, the court has held that where the only difference between the prior art and the claims at issue is a recitation of relative dimensions of the claimed device, and a device having the claimed relative dimensions would not perform differently than the prior art device, then the claimed device is not

patentably distinct from the prior art device. See *Gardner v. TEC Systems, Inc.*, 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984), cert. denied, 469 U.S. 830, 225 USPQ 232 (1984).

38. With respect to claims 21 and 25, a mere duplication of parts has no patentable significance unless a new and unexpected result is produced. See *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960).

39. With respect to claim 23, Haugen discloses a dispensing device having a plurality of compartments and a plenum disposed in the device and coupling the compartments (see Haugen, Figures 1 and 5).

40. With respect to claim 33, Andon discloses pressurizing the catalyst reservoir (see Andon, column 2, lines 53-56).

### ***Response to Arguments***

41. Applicant's arguments filed 23 March 2007 have been fully considered, but they are not persuasive.

42. Examiner understands Applicant's principal arguments to be:

- I. Examiner incorrectly cites Andon as disclosing a mobile catalyst injection system comprising a transportable platform.
- II. Erickson cannot form the basis for an obviousness rejection because he only discloses a catalyst bin or tank that is transported or carried by a transport vehicle, such as a monorail, in direct contrast to disclosing a catalyst injection system that itself is mobile and comprises a transportable platform.

- III. Erickson and Haugen references, either individually or combined, fail to teach all the claimed elements and do not establish a *prima facie* case of obviousness.
- IV. Andon and Haugen references, either individually or combine, fail to teach all the claimed elements and do not establish a *prima facie* case of obviousness.

43. For clarity, the references cited herein include: Andon (US 4082513), Erickson (US 4769127), and Haugen (US 2616591).

44. With respect to Applicant's first argument, Applicant's claim 1 reads, "A mobile catalyst injection system comprising: [(a)] a transportable platform; [(b)] a catalyst reservoir coupled to the platform and adapted to be coupled to an fluid [(sic)] catalyst cracking unit; and [(c)] a flow control device coupled to an outlet of the reservoir and adapted to control the flow of catalyst through the outlet port."

Applicant's specification discloses that the "transportable platform" may be "configured to facilitate shipment of the mobile catalyst injection system by conventional means, e.g., road, air, sea, or rail . . . It is also contemplated that the transfer [i.e. transportable] platform may be integrally part of a trailer, barge, ship, plane, truck, rail car, and the like" (see Applicant's specification at page 6). Furthermore, Applicant discloses that the transportable platform may be a "trailer," "container," "railroad car," or "pallet" (see Applicant's claims 2-5). Thus, Applicant takes a very expansive view of the word "platform."

Andon discloses the use of "tank trucks" or "tank cars" for the transport and addition of catalyst to a fluid catalytic cracking unit (see Andon, column 1, lines 55-60; and column 2, lines 9-14). Thus, Andon discloses a "transportable platform" within the

scope of Applicant's claim 1. The "tank truck" or "tank car" would undoubtedly comprise a "catalyst reservoir" for holding the catalyst until such was ready to be discharged to the FCC unit. Andon further discloses bulk fill line (11) fitted with a valve (28) for receiving the catalyst from the tank trucks or tank cars. Thus, Andon discloses "a catalyst reservoir coupled to the platform and adapted to be coupled to an fluid [(sic)] catalyst cracking unit" within the scope of Applicant's claim 1. Finally, the valve (28) of Andon's bulk fill line (11) meets the limitation of "a flow control device coupled to an outlet of the reservoir and adapted to control the flow of catalyst through the outlet port," as the flow of catalyst could be controlled by opening and closing of the valve.

Therefore, having met all the limitations of Applicant's claim 1, Andon's disclosure fully anticipates Applicant's claim 1. Likewise, Examiner submits that Andon's disclosure meets the limitations of Applicant's claims 2-4, 9, 18, and 22 as outlined in paragraphs 7-12 *supra*.

With respect to claims 5 and 6, Examiner submits that pallets and barges are very common and well-known substitute means for "trailers" and "railroad cars" (see e.g. Murfitt (US 3212657)). See MPEP § 2144.06.

45. With respect to Applicant's second argument, Examiner submits that a prima facie showing of obviousness has been made with respect to claims 7, 8, 10-12, 17, and 26-30 in view of Erickson.

With respect to Applicant's claim 7, Erickson discloses a mobile catalyst injection system comprising: a transportable platform (56); a catalyst reservoir coupled to the platform (400); a flow control device coupled to an outlet of the reservoir (64) and

adapted to control the flow of catalyst through the outlet port, and a generator coupled to the platform (column 5, lines 62-68, and column 6, lines 1-2).

Examiner submits that Erickson's monorail transport carrier (56) falls within Applicant's broad scope of the term "transportable platform" which encompasses such things as a "container," "trailer," "railroad car," and even a "barge" (see discussion at paragraph 44 *supra*). Examiner notes, however, that Erickson does not explicitly disclose the catalyst reservoir adapted to be coupled to a fluid catalyst cracking unit.

A *prima facie* case of obviousness requires that three elements be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

With respect to the first element, Erickson discloses the use of his system with reactors which refine petroleum feedstock in the presence of fresh catalyst (see Erickson, column 3, lines 31-34). Specifically, Erickson discloses the use of his system with hydroprocessing units, including hydrocracking (see Erickson, column 6, lines 31-51). Thus, Erickson provides sufficient *motivation or suggestion* for use of his system with a fluid catalyst cracking unit.

With respect to the second element, the person having ordinary skill in the art would have a reasonable expectation of success for using or modifying Erickson's

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system for use with a fluid catalyst cracking unit because Erickson specifically notes the compatibility of his system with hydroprocessing operations.

Finally, with respect to the third element, Examiner submits that Erickson teaches or suggests all of the claim limitations found in Applicant's claims 7, 8, 10-12, 17, and 26-30 as discussed *supra* this paragraph and paragraphs 19-27.

46. With respect to Applicant's third argument, A *prima facie* case of obviousness requires that three elements be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

With respect to the first element, Haugen provides that the split-compartment dispensing device provides a substantial time savings for delivering solid materials by eliminating the need for separate measuring devices for separate ingredients (see Haugen, column 1, lines 10-24).

With respect to the second element, Examiner submits that the person having ordinary skill in the art would have a reasonable expectation of success because (1) both Erickson and Haugen are concerned with the dispensing of solid material, and (2) the device of Haugen would be compatible for dispensing solid catalyst particles.

With respect to the third element, Examiner submits that the combination of Erickson and Haugen teach or suggests all the limitations of Applicant's claims 13-16, 31, 32, 34, and 35 as outlined in paragraphs 28-34 *supra*.

Therefore, the person having ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Erickson and Haugen in order to obtain a time savings associated with Haugen's dispensing device to dispense different kinds or types of catalyst using the system of Erickson.

47. With respect to Applicant's fourth argument, A *prima facie* case of obviousness requires that three elements be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings; (2) there must be a reasonable expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

With respect to the first element, Haugen provides that the split-compartment dispensing device provides a substantial time savings for delivering solid materials by eliminating the need for separate measuring devices for separate ingredients (see Haugen, column 1, lines 10-24).

With respect to the second element, Examiner submits that the person having ordinary skill in the art would have a reasonable expectation of success because (1) both Andon and Haugen are concerned with the dispensing of solid material, and (2) the device of Haugen would be compatible for dispensing catalyst particles.

With respect to the third element, Examiner submits that the combination of Andon and Haugen teach or suggests all the limitations of Applicant's claims 19-21, 23-25, and 33 as outlined in paragraphs 35-40 *supra*.

Therefore, the person having ordinary skill in the art at the time the invention was made would have been motivated to combine the teachings of Andon and Haugen in order to obtain a time savings associated with Haugen's dispensing device to dispense different kinds or types of catalyst using the system of Andon.

### **Conclusion**

48. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Boyer whose telephone number is (571) 272-7113. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn A. Calderola, can be reached at (571) 272-1444. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RPB



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